

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ANTWONE LONEZO WILSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:19-cv-1746-AMM-GMB
)	
WEXFORD HEALTH, <i>et al.</i> ,)	
)	
Defendants.)	

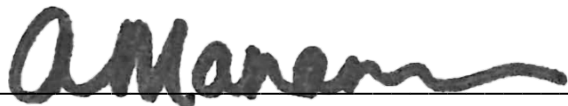
ORDER

Plaintiff Antwone Lonezo Wilson asserts claims against the defendants for deliberate indifference to his medical needs. On November 12, 2020, pursuant to 28 U.S.C. § 1915A(b)(1), the Magistrate Judge entered a report in which he recommended that the court dismiss without prejudice Mr. Wilson's official capacity claims against defendants Bourque and Spencer and all of his claims against Wexford Health for failing to state a claim upon which relief can be granted. Doc. 10. The Magistrate Judge recommended that the undersigned return Mr. Wilson's Eighth Amendment deliberate indifference claims against defendants Bourque and Spencer to the Magistrate Judge for further proceedings. Doc. 10. The Magistrate Judge advised Mr. Wilson of his right to file specific written objections to the report within fourteen days, but the court has not received any objections.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report *de novo* and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *see also LoConte v. Dugger*, 847 F.2d 745, 749-50 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. App’x 781, 784 (11th Cir. 2006).

Having reviewed and considered the materials in the record, the court adopts the Magistrate Judge’s report and accepts his recommendation. Pursuant to 28 U.S.C. § 1915A(b)(1), the court dismisses without prejudice Mr. Wilson’s official capacity claims against defendants Bourque and Spencer and all of his claims against Wexford Health. The court refers Mr. Wilson’s Eighth Amendment deliberate indifference claim against defendants Bourque and Spencer in their individual capacities to the Magistrate Judge for further proceedings.

DONE and **ORDERED** this 25th day of January, 2021.


ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE